

# SENATE BILL REPORT

## SB 5726

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As of February 18, 2005

**Title:** An act relating to bail bond recovery agents.

**Brief Description:** Changing provisions relating to bail bond recovery agents.

**Sponsors:** Senators Carrell, Hargrove, Rasmussen and Mulliken.

**Brief History:**

**Committee Activity:** Judiciary: 2/17/05.

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### SENATE COMMITTEE ON JUDICIARY

**Staff:** Cindy Fazio (786-7405)

**Background:** In addition to notifying law enforcement of their planned forced entry to apprehend a fugitive, bail bond recovery agents must wear clothing with lettering that identifies them as a "bail bond recovery agent," during the apprehension. The lettering must be written in at least two inch high reflective letters. In addition to the identifying clothing, the bail bond recovery agent may display a badge with the words "bail bond recovery agent" prominently displayed.

**Summary of Substitute Bill:** The identifying letters on the clothing may be one inch high, and the wording may be "bail bond recovery agent," or "bail enforcement agent." Additionally, the bail bond recovery agent may display the identifying badge during other activities of his or her job; not just during the planned forced entry of an apprehension.

**Substitute Bill Compared to Original Bill:** The original bill was not considered.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Reviewing the requirements for identification for clothing became necessary because of the amount of lettering needed and the various articles of clothing used. The types of activities and clothing necessitated some flexibility about the words used and the size of the lettering. A badge is important during an investigation into a fugitive's whereabouts. If a badge and/or other identification is not available, people will not provide information to the agents.

**Testimony Against:** This legislation is a major expansion of the original law. The bail recovery agents' authority to apprehend fugitives comes through the bail bonding agencies themselves. Regulation was initiated because of mistakes made by agents during

apprehension. The regulations are for their protection as well as for citizens. Letting the agents carry badges during other activities creates additional liability for the agencies.

**Who Testified:** PRO: Jon Fitzpatrick, Washington State Fugitive Recovery and Bail Enforcement Agents Association.

CON: Gordon Walgren, Washington Bail Agents Association.